



City of Seattle

Gregory J. Nickels, Mayor
Department of Planning and Development
D. M. Sugimura, Director

**CITY OF SEATTLE
ANALYSIS AND DECISION OF THE DIRECTOR OF
THE DEPARTMENT OF PLANNING AND DEVELOPMENT**

Application Number: 2400133
Application Name: MZ Construction, LLC
Address of Proposal: 9101 Roosevelt Way NE

SUMMARY OF PROPOSED ACTION

Master Use Permit for construction of four (4) two-unit townhouse structures. The proposal includes the demolition of an existing commercial building and one single family residence with a detached garage, all currently vacant. Parking for the proposed townhouse structures will be provided under each unit at ground level.

The following approval is required:

SEPA - Environmental Determination - Chapter 25.05, Seattle Municipal Code

SEPA DETERMINATION: ☐ Exempt ☐ DNS ☐ MDNS ☐ EIS

☒ DNS with conditions

☐ DNS involving non-exempt grading or demolition, or
another agency with jurisdiction.

RELATED PROJECTS:

Future unit-lot subdivision of the subject parcel into eight (8) unit lots is proposed under Project #2403101.

BACKGROUND DATA

Site and Vicinity Description

The site is located in the northeast area of Seattle on the northwest corner of the intersection of Roosevelt Way NE and NE 91st Street. It is zoned Lowrise 2 Residential Commercial (L-2 RC), which forms a corridor along Roosevelt Way NE from Neighborhood Commercial (NC2-40) just over ½ block to the south, to Lowrise 2 along the west side of Roosevelt Way NE above NE 94th Street. Roosevelt Way NE throughout this area is designated a Special Landscaped Arterial within the Northgate Overlay District.

The immediate vicinity along Roosevelt Way NE is comprised primarily of smaller commercial uses, often in converted residential structures, and combined business and multi-family residential uses in the same structure (Mixed Use). Single family homes begin within a block, and prevail for some distance to the west and east of the arterial.

The site is a corner lot, essentially square, and covers approximately 10,000 square feet. The density for Lowrise Two (L-2) is one dwelling unit per 1200 square feet of lot area, which would allow for a total of eight (8) units on this site. Two (2) deciduous street trees are located on Roosevelt Way NE adjacent to the site; one is 12" in diameter and the other is 16".

Proposal Description

The proposal consists of the construction of four two-unit townhouse structures. One parking space for each of the units will be provided at ground level. Vehicle access to parking and the site is proposed off NE 91st Street via a twenty (20'-0") foot curb cut. The two units located in the NW corner (Building 4, units A and B) will have pedestrian access to Roosevelt Way NE along the northern boundary of the lot. The two existing street trees will be saved and a third one is to be added.

Public Comments

A number of comments were received during the comment period ending June 23, 2004, extended an additional 14 days to July 7, 2004. There were seven (7) letters, one of which had twenty (20) signatures. Concerns included increased traffic, traffic safety at the intersection of NE 91st Street and Roosevelt Way NE, inadequate on-street parking, development that is too large for the site and not enough green space. One neighbor asked that trees be preserved on Roosevelt Way NE and the Maple Leaf Community Council requested that special attention be paid to pedestrian improvements required in the public right of way.

One comment was received requesting approval of the project because it would be an asset to the neighborhood.

ANALYSIS - SEPA

The initial disclosure of the potential impacts from this project was made in the environmental checklist submitted by the applicant dated May 17th, 2004, and annotated by the Department. The information in the checklist, supplemental information provided by the applicant, project plans, and the experience of the lead agency with review of similar projects form the basis for this analysis and decision.

The SEPA Overview Policy (SMC 25.05.665D) clarifies the relationship between codes, policies, and environmental review. Specific policies for each element of the environment, certain neighborhood plans, and other policies explicitly referenced may serve as the basis for exercising substantive SEPA authority.

The Overview Policy states in part: "where City regulations have been adopted to address an environmental impact, it shall be presumed that such regulations are adequate to achieve sufficient mitigation" (subject to some limitations). Under certain limitations/circumstances (SMC 25.05.665 D 1-7) mitigation can be considered. Thus, a more detailed discussion of some of the impacts is appropriate.

Short - Term Impacts

Construction activities for the four two-unit townhouse structures could result in the following adverse impacts: construction dust, emissions from construction machinery and vehicles, increased particulate levels, increased noise levels, occasional disruption of adjacent vehicular and pedestrian traffic, and a small increase in traffic and parking impacts due to construction workers' vehicles. Several construction related impacts are mitigated by existing City codes and ordinances applicable to the project, such as the Noise Ordinance; the Street Use Ordinance; and the Building Code. Following is an analysis of the air, water quality, streets, parking, and construction-related noise impacts as well as mitigation.

The character of the area immediately to the west is residential in nature and as a result the construction-related noise will have an impact on the surrounding residents. The times allowed for construction per the Noise Ordinance (SMC 25.08) are found to be inadequate to mitigate the noise impacts on the residents in the neighborhood. Thus proper conditioning is warranted.

The Street Use Ordinance includes regulations that mitigate dust, mud, and circulation. Temporary closure of sidewalks and/or traffic lane(s) is adequately controlled with a street use permit through the Seattle's Department of Transportation, and no further SEPA conditioning is needed.

Construction is expected to temporarily add particulates to the air and will result in a slight increase in auto-generated air contaminants from construction worker vehicles; however, this increase is not anticipated to be significant. Federal auto emission controls are the primary means of mitigating air quality impacts from motor vehicles as stated in the Air Quality Policy (Section 25.05.675 SMC). No unusual circumstances exist which would warrant additional mitigation per the SEPA Overview Policy.

Long - Term Impacts

The following long-term or use-related impacts, which are often a consideration, do not apply in this instance: increased demand on public services and utilities; increased light and glare; and increased energy consumption. These long-term impacts are not considered adverse, as other City Departments review the feasibility of these issues. Additional land use impacts which may result in the long-term are discussed below.

Height, Bulk and Scale

Although there is an increase in height and overall lot coverage for the development site, the proposed eight units will meet the Land Use Code requirements (development standards) presented in SMC 23.45 (Lowrise). The adjacent zoning designations (SF 5000, L-2 and NC2-4) have similar to greater height allowances when compared with the proposed development. Future development as permitted by the adjacent zones will be of similar height and scale as the proposal. Lastly, there are no unusual topographic features related to the development site. As a result, no mitigation is required pursuant to SEPA authority.

Parking

Eight parking spaces are proposed for the eight units to be constructed and a small amount of spill-over parking, approximately four cars, is expected on the surrounding street system. Based upon a site visit by the DPD Planner, an evaluation of available on-street parking in the vicinity demonstrated ample street parking for the neighborhood. As a result, no parking impacts are expected. Thus, no SEPA conditioning is needed.

Traffic and Transportation

The availability and proximity of transit is more than adequate on Roosevelt Way NE, which is designated a primary arterial street. The amount of traffic expected to be generated by this proposal is within the capacity of the streets in the immediate area. A Collision Report from the Seattle Department of Transportation covering recorded collisions between January 1, 1995 and November 15, 2004, indicates 6 collisions at NE 91st Street and Roosevelt Way NE, which is low for this type of intersection. A high collision rate would be 5 collisions in a 12 month period. There may have been collisions that went unreported to SPD; however, that would be consistent with similar locations throughout the city. Therefore, no SEPA mitigation is warranted for traffic impacts.

Summary

In conclusion, adverse effects on the environment resulting from the proposal are anticipated to be non-significant. No conditions or mitigating measures pursuant to SEPA policies is necessary.

DECISION - SEPA

This decision was made after review by the responsible official on behalf of the lead agency of a completed environmental checklist and other information on file with the responsible department. This

constitutes the Threshold Determination and form. The intent of this declaration is to satisfy the requirement of the State Environmental Policy Act (RCW 43.21.C), including the requirement to inform the public of agency decisions pursuant to SEPA.

[X] Determination of Non-Significance. This proposal has been determined to not have a significant adverse impact upon the environment. An EIS is not required under RCW 43.21C.030 (2) (C).

[] Determination of Significance. This proposal has or may have a significant adverse impact upon the environment. An EIS is required under RCW 43.21C.030 (2) (C).

CONDITIONS - SEPA

Prior to Issuance of any Demolition Permit

1. The owner(s) and/or responsible party(s) shall provide documentation to the DPD Planner Dawn E. Bern (206.684.5876) or Land Use Supervisor Cheryl Waldman (206.233.3861) that Puget Sound Clear Air Agency (PSCAA) has received all information necessary to mitigate likely air impacts at least 10 days in advance of the demolition of any structures on site greater than 120 sq. ft.

During Construction

The following conditions to be enforced during construction shall be posted at each street abutting the site in a location on the property line that is visible and accessible to the public and to construction personnel from the street right-of-way. The conditions shall be affixed to placards prepared by DPD. The placards will be issued along with the building permit set of plans. The placards shall be laminated with clear plastic or other waterproofing material and shall remain posted on-site for the duration of the construction.

2. In addition to the Noise Ordinance requirements, to reduce the noise impact of demolition on nearby properties, all demolition activities shall be limited to non-holiday weekdays between 7:30 A.M and 6:00 P.M. In addition to the Noise Ordinance requirements, to reduce the noise impact of construction on nearby residences, only the low noise impact work (i.e. landscaping and reseeding w/o power equipment) shall be permitted on Saturdays from 9:00 A.M. to 5:00 P.M.

Signature: _____ (signature on file) Date: February 7, 2005

Dawn E. Bern, Land Use Planner
Department of Planning and Development
Land Use Services

DEB:bg

Bernd/2400133-SEPA 8 units L2.doc